Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

DEVAL L. PATRICK
Governor

RICHARD K. SULLIVAN JR.
Secretary

DAVID W. CASH
Commissioner

Date Stamped June 10, 2014

Mr. David Goodwin
Thermo Fisher Scientific
35 Wiggins Avenue
Bedford, MA 01730

RE: ***BEDFORD***
Transmittal No.: X258454
Application No.: *NE-14-002*
Class: *SUBMIN*
FMF No.: *193749*
AIR QUALITY PLAN APPROVAL

Dear Mr. Goodwin:

The Massachusetts Department of Environmental Protection ("MassDEP"), Bureau of Waste Prevention, has reviewed your Limited Plan Application ("Application") listed above. This Application concerns the installation and operation of new equipment at your existing facility located at 2 Preston Court, Bedford, Massachusetts ("Facility"). The mailing address for the Facility is 35 Wiggins Avenue, Bedford, Massachusetts.

This Application was submitted in accordance with 310 CMR 7.02 Plan Approval and Emission Limitations as contained in 310 CMR 7.00 "Air Pollution Control," regulations adopted by MassDEP pursuant to the authority granted by Massachusetts General Laws, Chapter 111, Section 142 A-J, Chapter 21C, Section 4 and 6, and Chapter 21E, Section 6. MassDEP's review of your Application has been limited to air pollution control regulation compliance and does not relieve you of the obligation to comply with any other regulatory requirements.

MassDEP has determined that the Application is administratively and technically complete and that the Application is in conformance with the Air Pollution Control regulations and current air pollution control engineering practice, and hereby grants this **Plan Approval** for said Application, as submitted, subject to the conditions listed below.

Please review the entire Plan Approval, as it stipulates the conditions with which the Facility owner / operator ("Permittee") must comply in order for the Facility to be operated in compliance with this Plan Approval.

1. DESCRIPTION OF FACILITY AND APPLICATION

Thermo Fisher Scientific (the "Permittee") operates an existing manufacturing facility at 2 Preston Court, Bedford, MA ("Facility") which produces chemical components (i.e. chromatography media) used in research and development of pharmaceutical and life science applications. The facility is operating under a Limited Plan Application (LPA) Approval, Application No. MBR-02-IND-029, which was issued by MassDEP to Applied Biosystems on October 21, 2002. This Final Approval, Application No. NE-14-002, will supersede, in its entirety, the previous LPA Approval that was issued to Applied Biosystems.

The existing manufacturing Facility consists of four (4) 1 cubic meter (m^3) filter vessels, one (1) 0.5 m^3 filter vessel, seven (7) mixing vessels, and one (1) 30 ft^3 vacuum drying vessel. The Permittee is proposing to expand its operational capacity through the installation of two (2) additional 1 m^3 filter vessels, one (1) mixing vessel, and one (1) 60 ft^3 large vacuum drying vessel. The description of the existing and proposed process equipment can be found in Table 1 below.

The filter vessels are used for mixing and washing of the incoming product. The solvent and the product are mixed together and then the solvent is drained from these vessels. Typically, the solvent washes occur at ambient temperatures; however, some washes can occur at elevated temperatures. Volatile organic compounds (VOC), hazardous air pollutants (HAPs), and/or hydrocarbon (HYC) vapors from the solvent washing process are captured at the vent for each filter vessel and are sent to an existing main process vent condenser (PCD-PC1). As part of the manufacturing expansion, a new vent condenser (PCD-PC2) will be placed in series after PCD-PC1).

The mixing vessels are used to prepare the solvent material that will be used in the solvent washes. Emissions from these vents will also be sent through both PCD-PC1 and PCD-PC2.

The existing and new vacuum drying vessels will be used to evaporate the solvent media after the solvent washes have been completed. The solid material and the solvent are heated under vacuum. During this operation, the solvent content in the solvent/solids mixture is reduced from approximately 70 percent (%) to less than 1% by weight. The solvent that is driven off during the drying process is sent to a dedicated vacuum dryer condenser (PCD-VDC1 or PCD-VDC2) and then through both PCD-PC1 and PCD-PC2.

The existing PCD-VDC1 is an Item No. HX-2231 condenser. This condenser has a heat transfer surface area of 35 ft^2. The set point temperature for the glycol/water chilling media at the influent to this condenser is 8.0^oC with a warning level at 10.0^oC. The minimum removal efficiency of PCD-VDC1 will be 75 percent by weight for VOC, HAPs, and HYC.

The new PCD-VDC2 will be an Item No. HX-2541 condenser. This condenser will have a heat transfer surface area of 65 ft^2. The set point temperature for the glycol/water chilling media at the influent to this condenser will be 8.0^oC with a warning level at 10.0^oC. The minimum removal efficiency of PCD-VDC2 will be 75 percent by weight for VOC, HAPs, and HYC.

The existing PCD-PC1 is an Item No. HX-5533 condenser while the new PCD-PC2 will be an Item No. HX-5532 condenser. The condensers will have a heat transfer surface area of 35 square feet (ft^2) each. The set point temperature for the glycol/water chilling media at the influents to these condensers will be 8.0 degrees Celsius (^oC) with a warning level at 10.0^oC. PCD-PC1 and PCD-PC2 will control the overall emissions VOC, HAPs, and HYC captured from the vents of the filter vessels, the mixing vessels, and the vacuum drying vessels at a minimum removal efficiency of 87 percent by weight.

The vacuum drying vessels will also be controlled by either PCD-VDC1 or PCD-VDC2 before those controlled emissions will be further controlled by PCD-PC1 and PCD-PC2, in series. The capture efficiency associated with the filter vessels, the mixing vessels, and the vacuum drying vessels will be 100% since the vents are hard piped to PCD-PC1, PCD-PC2, PCD-VDC1, and PCD-VDC2.

Each of the condensers will be equipped with a dedicated condensation pot which can be used for mass balance purposes to periodically test the removal efficiency of PCD-PC1, PCD-PC2, PCD-VDC1, and PCD-VDC2.

2. EMISSION UNIT (EU) IDENTIFICATION

Each Emission Unit (EU) identified in Table 1 is subject to and regulated by this Plan Approval:

Table 1

EU#	Description	Pollution Control Device (PCD)
EU-FV1, EU-FV2, EU-FV3, EU-FV4, EU-FV6 EU-FV7	1 m^3 filter vessels Max 400 gallons capacity each EU-FV1 through EU-FV4 (existing) EU-FV6 and EU-FV7 (new)	PCD-PC1 and PCD-PC2 in series
EU-FV5	Existing 0.5 m^3 filter vessel Max 80 gallons capacity	

Table 1		
EU#	**Description**	**Pollution Control Device (PCD)**
EU-MIX1, EU-MIX2, EU-MIX3, EU-MIX4, EU-MIX5, EU-MIX6, EU-MIX7, EU-MIX8	Enclosed mixing vessels Max capacity, in gallons, of each, in numerical order: 40, 150, 300, 300, 300, 1500, 100, and 200 EU-MIX8 will be a new 200 gallon mixing vessel	PCD-PC1 and PCD-PC2 in series
EU-VDV1	30 ft^3 vacuum drying vessel Max 200 gallon capacity	PCD-VDC1 followed by PCD-PC1 and PCD-PC2 in series
EU-VDV2	60 ft^3 vacuum drying vessel Max 400 gallon capacity	PCD-VDC2 followed PCD-PC1 and PCD-PC2 in series
EU3	Quality Control – Genetic Analysis Lab	None
EU4	Quality Control – POROS R&D Lab	
EU5	POROS Small Scale Lab	
EU6	R&D Pilot Plant	

Table 1 Key:
EU = Emission Unit
# = Number
Max = maximum
m^3 = cubic meter
ft^3 = cubic feet
POROS = POROS material manufacturing process
R&D = research and development

3. APPLICABLE REQUIREMENTS

A. OPERATIONAL, PRODUCTION AND EMISSION LIMITS

The Permittee is subject to, and shall not exceed the Operational, Production, and Emission Limits as contained in Table 2, below:

Table 2			
EU#	**Operational / Production Limit**	**Air Contaminant**	**Emission Limit**
EU-FV1, EU-FV2, EU-FV3, EU-FV4, EU-FV5, EU-FV6 EU-FV7	Capture efficiency shall be 100% since the vents are hard piped directly to the PCDs Permanent Total Enclosure (PTE)	VOC	3.1 lbs/hr 1.1 TPM 5.5 TPY
EU-MIX1, EU-MIX2, EU-MIX3, EU-MIX4, EU-MIX5, EU-MIX6, EU-MIX7, EU-MIX8		Total HAPs	3.1 lbs/hr 0.6 TPM 2.8 TPY
EU-VDV1 EU-VDV2		HYC	3.1 lbs/hr 1.1 TPM 5.6 TPY
EU3	N/A	VOC	0.3 TPM <1 TPY
		Total HAPs	0.3 TPM <1 TPY
		HYC	0.3 TPM <1 TPY
EU4	N/A	VOC	0.3 TPM <1 TPY
		Total HAPs	0.3 TPM <1 TPY
		HYC	0.3 TPM <1 TPY
EU5	N/A	VOC	0.3 TPM <1 TPY
		Total HAPs	0.3 TPM <1 TPY
		HYC	0.3 TPM <1 TPY

Table 2			
EU#	**Operational / Production Limit**	**Air Contaminant**	**Emission Limit**
EU6	N/A	VOC	0.3 TPM <1 TPY
		Total HAPs	0.3 TPM <1 TPY
		HYC	0.3 TPM <1 TPY
PCD-PC1 and PCD-PC2 (in series)	Set point temperature for condenser influent glycol/water chilling media is 8.0 degrees Celsius (as measured by RTD-52002) 100% capture efficiency	VOC, Total HAPS, HYC	Combined minimum VOC/Total HAPs/HYC removal efficiency of 87% by weight
PCD-VDC1			Individual minimum removal efficiency of 75% by weight
PCD-VDC2			
Facility-wide	N/A	VOC	2.3 TPM 9.5 TPY
		Total HAPs	1.8 TPM 6.8 TPY
		HYC	2.3 TPM 9.6 TPY

Table 2 Key:
EU# = Emission Unit Number
VOC = Volatile Organic Compounds
Total HAPs = Total Hazardous Air Pollutants
HYC = hydrocarbon
TPM = tons per month
TPY = tons per any consecutive 12-month period
lbs/hr = pounds per hour
N/A = Not Applicable
< = less than
% = percent
RTD-52002 = thermocouple to measure temperature of condenser influent glycol/water chilling media

B. COMPLIANCE DEMONSTRATION

The Permittee is subject to, and shall comply with, the monitoring, testing, record keeping, and reporting requirements as contained in Tables 3, 4, and 5 below:

Table 3	
EU#	**Monitoring and Testing Requirements**
PCD-PC1 PCD-PC2 PCD-VDC1 PCD-VDC2	1. Continuously monitor the actual temperature of the glycol/water chilling media at the following locations: a) Actual temperature of the influent glycol/water chilling media to condensers (RTD-52002); b) Actual temperature of the effluent glycol/water chilling media of PCD-PC2 (RTD-55320); c) Actual temperature of the effluent glycol/water chilling media of PCD-VDC1 (RTD-22341); d) Actual temperature of the effluent glycol/water chilling media of PCD-VDC2 (RTD-25441).
	2. Monitor operations so that if any upset occurs with these control device(s), the Permittee shall safely discontinue operation of all associated emission unit(s) until the control device(s) in question is repaired and operating properly.
	3. Monitor all instances of emergency venting including the date, time, and approximate amount of VOC, HAPs, and HYC emissions that were vented so that it can be recorded.
	4. Monitor all maintenance related activities.
	5. Continuously monitor the actual temperature of the influent process vapor stream to PCD-PC1 (RTD-55350) and effluent process vapor stream from PCD-PC2 (RTD-55351).
	6. Conduct a compliance testing for VOC within 60 days of the commencement of continuous operation. All compliance testing shall be conducted in accordance with the test methods and procedures set forth in 40 CFR 60, Appendix A. All compliance testing shall be witnessed by MassDEP personnel at a mutually agreeable date and time.
	7. Every six (6) months conduct a material balance around each condenser to confirm that the required control efficiency is being maintained. After four (4) consecutive material balances have confirmed that the required control efficiency continues to be achieved, the material balances may be scaled back to once a year, as long as the material balance is conducted on a day with an outdoor ambient temperature of 80 degrees Fahrenheit or higher.
Facility-wide	8. Monitor material usage (including VOC, HAPs, and HYC content of all materials used) on a monthly basis such that records can be maintained of the Facility's emissions of VOC, HYC, and total HAPs to determine compliance status with the monthly and the twelve month rolling emission limits contained in Table 2 above.
	9. If and when MassDEP requires it, the Permittee shall conduct emission testing in accordance with USEPA Reference Test Methods and Regulation 310 CMR 7.13.

Table 3 Key:
EU# = Emission Unit Number
VOC = Volatile Organic Compounds
HAPs (total) = total Hazardous Air Pollutants
HYC = hydrocarbon
psia = pounds per square inch absolute
MassDEP = Massachusetts Department of Environmental Protection
USEPA = United States Environmental Protection Agency
$\leq$ = less than or equal to
RTD-xxxxx = names of thermocouples and their location

Table 4	
EU#	**Record Keeping Requirements**
PCD-PC1 PCD-PC2 PCD-VDC1 PCD-VDC2	1. Continuously record the actual temperatures of the glycol/water chilling media as specified in Table 3.
	2. Continuously record the actual temperatures of the process vapor streams as specified in Table 3.
	3. Record all upset conditions which occur with these pollution control devices. Said records shall include but shall not be limited to a description of the reason(s) for and the extent of downtime of the pollution control device and all steps that were taken to prevent said occurrence from recurring in the future.
	4. Record all instances of emergency venting including the date, time, and approximate amount of VOC, HAPs, and HYC emissions that were vented.
	5. Record all maintenance related activities.
	6. Maintain records of the results of all material balances.
Facility-wide	7. Maintain adequate records on-site to demonstrate compliance with all operational, production, and emission limits contained in Table 2 above. Records shall also include the actual emissions of air contaminant(s) emitted for each calendar month and for each consecutive twelve month period (current month plus prior eleven months). These records shall be compiled no later than the 15th day following each month. An electronic version of the MassDEP approved record keeping form, in Microsoft Excel format, can be downloaded at http://www.mass.gov/eea/agencies/massdep/air/approvals/limited-emissions-record-keeping-and-reporting.html.
	8. Maintain records of monitoring and testing as required by Table 3.
	9. Maintain a copy of this Plan Approval, underlying Application and the most up-to-date SOMPs for the EUs approved herein on-site.
	10. Maintain a record of routine maintenance activities performed on the approved EUs, PCDs, and monitoring equipment. The records shall include, at a minimum, the type or a description of the maintenance performed and the date and time the work was completed.
	11. Maintain a record of all malfunctions affecting air contaminant emission rates of the approved EUs, PCDs, and monitoring equipment. At a minimum, the records shall include: date and time the malfunction occurred; description of the malfunction; corrective actions taken; the date and time corrective actions were initiated and completed; and the date and time emission rates and monitoring equipment returned to compliant operation.
	12. Maintain records required by this Plan Approval on-site for a minimum of five (5) years.
	13. Make records required by this Plan Approval available to MassDEP and USEPA personnel upon request.

Table 4 Key:
EU# = Emission Unit Number
EUs = emission units
PCDs = pollution control devices
SOMPs = Standard Operating and Maintenance Procedures
MassDEP = Massachusetts Department of Environmental Protection
USEPA = United States Environmental Protection Agency

Table 5	
EU#	**Reporting Requirements**
PCD-PC1 PCD-PC2 PCD-VDC1 PCD-VDC2	1. Submit a compliance test protocol on the required initial compliance test to MassDEP's Northeast Regional Office (NERO) for review and approval at least 30 days prior to the scheduled commencement of said testing.
	2. Submit the emission test results report to NERO for review within 45 days of the completion of the required compliance testing.
	3. In the event of any PCD malfunction which results in any excess uncontrolled emissions, notify MassDEP by fax or telephone within one business day and subsequently in writing within seven days of said occurrence. This written notification shall describe the reason(s) for and the extent of down time of the PCD(s) and all steps that have been or will be taken to prevent similar malfunctions from occurring in the future.
Facility-wide	4. Submit to MassDEP all information required by this Plan Approval over the signature of a "Responsible Official" as defined in 310 CMR 7.00 and shall include the Certification statement as provided in 310 CMR 7.01(2)(c).
	5. Notify the Northeast Regional Office of MassDEP, BWP Permit Chief by email at nero.air@state.ma.us or fax 978-694-3499 as soon as possible, but no later than one (1) business day after discovery of any exceedance(s) of Table 2 requirement(s). A written report shall be submitted to the BWP Permit Chief within three (3) business days thereafter and shall include: identification of exceedance(s), duration of exceedance(s), reason for the exceedance(s), corrective actions taken, and action plan to prevent future exceedance(s).

Table 5 Key:
EU# = Emission Unit Number
PCD = Pollution Control Device
CMR = Code of Massachusetts Regulations
MassDEP = Massachusetts Department of Environmental Protection
BWP = Bureau of Waste Prevention

3. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to, and shall comply with, the following special terms and conditions:

A. The Permittee shall comply with the Special Terms and Conditions as contained in Table 6 below:

Table 6

EU#	Special Terms and Conditions
Facility-wide	1. This Plan Approval, NE-14-002, supersedes the Final Approval, MBR-02-IND-029, issued to the Permittee on October 1, 2002, in its entirety, with the exception that all plan application materials submitted as part of Approval MBR-02-IND-029 become part of Plan Approval No. NE-14-002.
	2. Follow the Standard Operating and Maintenance Procedures (SOMPs) for the subject emission units and pollution control devices so as to maintain their efficient operation and minimize emissions of VOC, HYC, and total HAPs.
	3. Within thirty (30) days of the installation of PCD-PC2, install thermocouples to monitor the glycol/water chilling media temperatures (RTD-55320, RTD-22341, RTD-25441) and process vapor stream temperatures (RTD-55350 and RTD-55351). Provide written notice to this Office, attention BWP Permit Chief, of the date of said installations within fourteen (14) days thereof.
	4. If one or more of the glycol/water chilling media temperatures (RTD-55320, RTD-22341, or RTD-25441) exceeds 11^{o}C, the following steps will be taken, but not limited to: reduction of HVAC system glycol/water chilling media loading, closing of ventilation systems, and/or reduction of process vessel temperature(s).
	5. If one or more of the glycol/water chilling media temperatures (RTD-55320, RTD-22341, or RTD-25441) exceeds 13^{o}C for more than ten (10) minutes, then all solvent processes feeding the condensers, PCD-PC1 and PCD-PC2, will be stopped.
	6. All cleaning rags used in conjunction with cleaning solutions shall be placed in tightly covered containers when not in use, and shall be collected for proper recycling or disposal.
	7. All VOC, HYC, and HAPs containing materials shall be transported and stored in tightly covered containers. Any emissions associated with surface preparation and /or cleanup solutions shall be included in the monthly and 12 month rolling emissions calculations to determine the Permittee's compliance status with emission limits contained in Table 2 above.
	8. This Facility may be subject to the Federal National Emissions Standards for Hazardous Air Pollutants (NESHAPs) for Chemical Manufacturing Area Sources under 40 CFR Part 63 Subpart VVVVVV. Since MassDEP has not accepted delegation for Subpart VVVVVV, you are advised to consult with the United States Environmental Protection Agency (USEPA) for additional information. There may be additional notification, record keeping and reporting requirements. Their address is US EPA Region 1, 5 Post Office Square – Suite 100, Boston, MA 02109-3912.

Table 6	
EU#	**Special Terms and Conditions**
Facility-wide	9. Establish and maintain documentation and adhere to the criteria for VOC capture efficiency - U.S. EPA Method 204 for permanent total enclosures (PTEs) for these emission units. The criteria for a PTE are the following: a) All access doors and windows are closed during normal operation. b) The interior of the PTE is under negative pressure to the outside environment. c) The average velocity through the natural draft openings (NDOs) must be greater than 200 feet per minute. d) Sources of VOC in the PTE must be at least four (4) equivalent diameters from each NDO. e) The total area of all NDOs must be less than five (5) percent of the total area of the enclosure. The above procedures shall be incorporated into Permittee's Standard Operating and Maintenance Procedure (SOMP) for these emission units.
PCD-VDC1 PCD-VDC2	10. PCD-VDC1 and PCD-VDC2 each shall provide a minimum removal efficiency of 75.0 weight percent for VOC, total HAPs, and HYC. All associated permanent total enclosures (PTEs) shall provide 100 percent capture efficiency.
PCD-PC1 PCD-PC2	11. PCD-PC1 and PCD-PC2 shall provide a combined minimum control efficiency of 87.0 weight percent for VOC, total HAPs, and HYC. All associated permanent total enclosures (PTEs) shall provide 100 percent capture efficiency.

Table 6 Key:
EU# = Emission Unit Number

B. The Permittee shall install and use an exhaust stack, as required in Table 7, on each of the Emission Units that is consistent with good air pollution control engineering practice and that discharges so as to not cause or contribute to a condition of air pollution. Each exhaust stack shall be configured to discharge the gases vertically and shall not be equipped with any part or device that restricts the vertical exhaust flow of the emitted gases, including but not limited to rain protection devices known as "shanty caps" and "egg beaters". The Permittee shall install and utilize exhaust stacks with the following parameters, as contained in Table 7 below, for the Emission Units that are regulated by this Plan Approval:

Table 7				
EU#	**Stack Height Above Ground**	**Stack Inside Exit Dimensions**	**Minimum Stack Gas Exit Velocity**	**Stack Gas Exit Temperature Range**
PCD-PC1/PCD-PC2	36 feet	12 inch diameter	18 feet per second	68 ^{o}F – 340 ^{o}F

Table 7 Key:
EU# = Emission Unit Number
^{o}F = Degrees Fahrenheit

6. GENERAL CONDITIONS

The Permittee is subject to, and shall comply with, the following general conditions:

A. Pursuant to 310 CMR 7.01, 7.02, 7.09 and 7.10, should any nuisance condition(s), including but not limited to smoke, dust, odor or noise, occur as the result of the operation of the Facility, then the Permittee shall immediately take appropriate steps including shutdown, if necessary, to abate said nuisance condition(s).

B. If asbestos remediation/removal will occur as a result of the approved construction, reconstruction, or alteration of this Facility, the Permittee shall ensure that all removal/remediation of asbestos shall be done in accordance with 310 CMR 7.15 in its entirety and 310 CMR 4.00.

C. If construction or demolition of an industrial, commercial or institutional building will occur as a result of the approved construction, reconstruction, or alteration of this Facility, the Permittee shall ensure that said construction or demolition shall be done in accordance with 310 CMR 7.09(2) and 310 CMR 4.00.

D. Pursuant to 310 CMR 7.01(2)(b) and 7.02(7)(b), the Permittee shall allow MassDEP and/or USEPA personnel access to the Facility, buildings, and all pertinent records for the purpose of making inspections and surveys, collecting samples, obtaining data, and reviewing records.

E. This Plan Approval does not negate the responsibility of the Permittee to comply with any other applicable Federal, State, or local regulations now or in the future.

F. Should there be any differences between the Application and this Plan Approval, the Plan Approval shall govern.

G. Pursuant to 310 CMR 7.02(3)(k), MassDEP may revoke this Plan Approval if the construction work is not commenced within two years from the date of issuance of this Plan Approval, or if the construction work is suspended for one year or more.

H. This Plan Approval may be suspended, modified, or revoked by MassDEP if MassDEP determines that any condition or part of this Plan Approval is being violated.

I. This Plan Approval may be modified or amended when in the opinion of MassDEP such is necessary or appropriate to clarify the Plan Approval conditions or after consideration of a written request by the Permittee to amend the Plan Approval conditions.

J. Pursuant to 310 CMR 7.01(3) and 7.02(3)(f), the Permittee shall comply with all conditions contained in this Plan Approval. Should there be any differences between provisions contained in the General Conditions and provisions contained elsewhere in the Plan Approval, the latter shall govern.

7. MASSACHUSETTS ENVIRONMENTAL POLICY ACT

MassDEP has determined that the filing of an Environmental Notification Form (ENF) with the Secretary of Energy & Environmental Affairs, for air quality control purposes, was not required prior to this action by MassDEP. Notwithstanding this determination, the Massachusetts Environmental Policy Act (MEPA) and 301 CMR 11.00, Section 11.04, provide certain "Fail-Safe Provisions," which allow the Secretary to require the filing of an ENF and/or an Environmental Impact Report (EIR) at a later time.

8. APPEAL PROCESS

This Plan Approval is an action of MassDEP. If you are aggrieved by this action, you may request an adjudicatory hearing. A request for a hearing must be made in writing and postmarked within twenty-one (21) days of the date of issuance of this Plan Approval. Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts, which are the grounds for the request, and the relief sought. Additionally, the request must state why the Plan Approval is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to the Commonwealth of Massachusetts in the amount of one hundred dollars ($100.00) must be mailed to:

Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

This request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below. The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

MassDEP may waive the adjudicatory hearing-filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.
Should you have any questions concerning this Plan Approval, please contact Mr. Mun Wong by telephone at 978-694-3286, or in writing at the letterhead address.

Sincerely,

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

Mun S. Wong
Environmental Engineer

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

James E. Belsky
Permit Chief
Bureau of Waste Prevention

cc: Board of Health, 12 Mudge Way, Bedford, MA 01730
Fire Headquarters, 55 Great Road, Bedford, MA 01730
MassDEP/Boston - Yi Tian
MassDEP/NERO – Marc Altobelli, M. Persky
Capaccio Environmental Engineering, Inc., 292 Boston Post Road West, Marlborough, MA 01752 ATTN: Ms. Lynn Sheridan